

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

FREDERICK M. SPENCER,

Plaintiff,

vs.

LAWSON SCREEN PRODUCTS, INC.,

Defendant.

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Case number 4:05cv1280 TCM

ORDER

This pro se employment discrimination action is before the Court on an unopposed motion for sanctions filed by defendant, Lawson Screen Products, Inc., to dismiss this action after plaintiff, Frederick M. Spencer, failed to comply with one of two directions in a previous order and on an unopposed renewed motion for sanctions filed by Defendant failed to comply with the second of the directions.

That order, entered on June 23, 2006, directed Plaintiff to (1) reimburse Defendant for the fees of the court reporter incurred by Defendant for her attendance at and transcription of an attempted deposition of Plaintiff and (2) appear for a properly-noticed deposition. According to the unrefuted allegations in Defendant's two motions, Plaintiff has done neither.

In its previous order, the Court set forth the underlying facts behind Plaintiff's continued failure to participate in the progress of litigation he has initiated and the applicable law governing the Court's consideration of what, if any, sanctions to be imposed for this failure. These facts and law will not be repeated here but will be incorporated herein by this reference.

For the reasons set forth in the Court's previous order and for his failure to comply with that order,

IT IS HEREBY ORDERED that Defendant's motion for sanctions [Doc. 35] and its renewed motion for sanctions [Doc. 37] are **GRANTED**.

An appropriate Order of Dismissal shall accompany this Order.

/s/ Thomas C. Mummert, III
THOMAS C. MUMMERT, III
UNITED STATES MAGISTRATE JUDGE

Dated this 9th day of August, 2006.